

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MARSHAL T. SIMPSON,)	
INDIVIDUALLY AND AS TRUSTEE OF)	
THE MARSHAL T. SIMPSON TRUST;)	
DONALD S. SIMPSON, INDIVIDUALLY)	
AND AS TRUSTEE OF THE DONALD S.)	No. 4:18-00398-CV-RK
SIMPSON TRUST; AND CHRISTOPHER)	
BOYD,)	
)	
Plaintiffs,)	
v.)	
)	
WILLIAM DIRKS DAMERON, LLC,)	
MATTHEW L. DAMERON,)	
)	
Defendants.)	

ORDER TO SHOW CAUSE

The Court’s review of this case reveals that the Complaint (doc. 1) does not establish that subject-matter jurisdiction exists. Therefore, Plaintiffs are directed to show cause why this case should not be dismissed. *See Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 377 (1994) (The burden of establishing subject-matter jurisdiction “rests upon the party asserting jurisdiction.”)

Federal courts have an independent obligation to ensure that they have subject-matter jurisdiction to hear a case. *Henderson ex rel. Henderson v. Shinseki*, 562 U.S. 428, 434 (2011). Plaintiffs allege that jurisdiction exists pursuant to 28 U.S.C. § 1332, which requires, among other things, that no Plaintiff be a citizen of the same state where any Defendant is a citizen. However, the present record does not establish that complete diversity exists. With respect to the citizenship of Defendant William Dirks Dameron, LLC, “an LLC’s citizenship is that of its members for diversity jurisdiction purposes.” *GMAC Commercial Credit LLC v. Dillard Dep’t Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004). Therefore, to determine Defendant William Dirks Dameron, LLC’s citizenship, the Court must know the citizenship of its members.

Accordingly, Plaintiffs are **ORDERED** to show cause as to why the case should be not dismissed by providing the additional information to establish subject-matter jurisdiction. Plaintiff's response is due on or before August 24, 2018.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: August 10, 2018